

## NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. §§6172, 6192, 6193 & 6194

**Struck text is being removed, and underlined text is being added**

### BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 95.06(H) Area No. 25-C, Western Muscongus Bay (Bristol), amended on March 27, 2008; and repeals DMR Regulation 95.06 J, Closed Area No. 25-D, Long Cove Point to Muscongus Harbor, Bristol amended on October 6, 2004 and DMR Regulation 95.06 T, Closed Area No. 25-I, Muscongus Harbor, Bristol-Bremen amended on January 20, 1989. This amendment combines Area No. 25-I and Area No. 25-D into Area No. 25-C which is an administrative change. As authorized by 12 M.R.S.A. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.06(H).

**RULE TITLE AND SUBJECT:** DMR Regulation 95.06 J, Closed Area No. 25-D, Long Cove Point to Muscongus Harbor, Bristol amended on October 6, 2004 and DMR Regulation 95.06 T, Closed Area No. 25-I, Muscongus Harbor, Bristol-Bremen amended on January 20, 1989 are repealed. DMR Chapter 95.06(H) Area No. 25-C, Western Muscongus Bay (Bristol), amended on March 27, 2008, is amended as follows:

**TITLE & TEXT OF RULE:** ~~DMR Regulation 95.06 T, Closed Area No. 25-I, Muscongus Harbor, Bristol-Bremen~~

~~1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from all shores, flats and waters of Muscongus Harbor, Bristol-Bremen, shoreward (westerly) of a line drawn in a northwesterly direction from a red painted post (located on the easternmost point of land forming the southern boundary of said harbor) to a red painted post located on the northwestern shore of said harbor (about 300 yards easterly of where the outlet stream for Webber [Muscongus] Pond enters Muscongus Harbor).~~

**TITLE & TEXT OF RULE:** ~~DMR Regulation 95.06 J, Closed Area No. 25-D, Long Cove Point to Muscongus Harbor, Bristol~~

- ~~1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters within 500 feet of shore between Long Cove Point, Bristol, and the southeast side of the mouth of Browns Cove.~~
- ~~2. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters within 500 feet of shore between the northeast side of the mouth of Browns Cove and the southeast side of the Muscongus Harbor.~~

**TITLE & TEXT OF RULE:** DMR Chapter 95.06(H) Area No. 25-C, Western Muscongus Bay (Bristol and Bremen)

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of western Muscongus Bay (Bristol), within 500 feet of the shore, from the southernmost tip of Pemaquid Neck, running northeast to green can "11", then running northwest to a red painted post at the end of Bryant Way, Bremen. ~~to the northeast side of Browns Cove.~~

EFFECTIVE DATE: January 13, 2009

EFFECTIVE TIME: 1:30 PM

AGENCY CONTACT PERSON: Amy M. Fitzpatrick, Department of Marine Resources,  
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# Maine Department of Marine Resources

## Pollution Area No. 25-C

Western Muscongus Bay (Bristol and Bremen)



4/3/2013

